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IN ASSEMBLY

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VOTES AND DATES OF PASSAGE OF FEDERAL CONSTITUTIONAL AMENDMENTS IN CONGRESS AND IN NEW YORK STATE

Compiled by James Hodgson,
New York State Library

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VOTES, AND DATES OF PASSAGE OF FEDERAL CONSTITUTIONAL AMENDMENTS IN CONGRESS AND IN NEW YORK STATE

COMPILED BY JAMES HODGSON, SUB-LIBRARIAN

LEGISLATIVE REFERENCE SECTION—NEW YORK STATE LIBRARY

16 March, 1918

No.	SHORT TITLE	Date passed by Congress	Vote in Congress		Date first received in New York	Date approved in New York	Vote in New York		Date promulgated by Secretary of State of United States	Notes
			House	Senate			Assembly	Senate		
1–10	Bill of rights	25 Sept. 1789 [1]	Passed [2]	Passed [3]	12 Jan. 1790 [4]	27 Feb. 1790 [5]	Passed [6]	Passed [7]	30 Dec. 1791 and 18 Jan. 1792 [8]	Twelve amendments were proposed of which New York ratified 11, but only 10 were adopted by three-fourths of the states. An attempt was made to have the amendments ratified by resolution but the motion failed 49 to 2.[9]
—	Number of Representatives in Congress.	Adopted by New York with other ten amendments.								
—	Compensation of Congressmen.	....	....	......	....	....	Failed [6]	Failed [7]		
11	Restraining federal judicial power.	12 Mar. 1794 [10]	81 to 9 [11]	23 to 2 [12]	27 Mar. 1794 [13]	27 Mar. 1794 [14]	49 to 2 [15]	Passed [16]	8 Jan. 1798 [17]	
12	Reform in taking of electoral votes.	12 Dec. 1803 [18]	83 to 42 [19]	22 to 10 [20]	31 Jan. 1804 [21]	11 Feb. 1804 [22]	79 to 14 [23]	24 to 4 [24]	25 Sept. 1804 [25]	
—	Forbidding taking of titles of nobility.	1 May 1810 [26]	83 to 3 [27]	19 to 5 [28]	4 Mar. 1811 [29]	12 Mar. 1812 [30]	No vote [31]	Rejected [32]	....	On 4 Feb. 1818 the president reported to Congress that 12 states had ratified the amendment, while 3 had rejected it and two were undecided.[33]
—	Restricting power of Congress to interfere in local institutions such as slavery.	2 Mar. 1861 [34]	133 to 65 [35]	24 to 12 [36]	21 Mar. 1861 [37]	Did not come up	....	....	....	
13	Slavery prohibited	1 Feb. 1865 [38]	112 to 57 [39]	38 to 6 [40]	1 Feb. 1865 [41]	28 April 1865 [42]	90 to 22 [43] See notes	18 to 3 [44] See notes	18 Dec. 1865 [45]	A resolution to ratify the amendment passed the Senate on 2 Feb., and the Assembly on 3 Feb. 1865, in the Senate 18 to 8 [46] and in the Assembly 72 to 40.[47]
14	Making negroes citizens and taking action against insurrection.	16 June 1866 [48]	120 to 32 [49]	33 to 11 [50]	1 Jan. 1867 [51]	10 Jan. 1867 [52]	71 to 36 [53]	23 to 3 [54]	28 July 1868 [55]	First amendment ratified in New York by resolution. Others were ratified by statute.
15	Prohibiting color restrictions for voting.	27 Feb. 1869 [56]	145 to 44 [57]	39 to 13 [58]	10 Mar. 1869 [59]	14 Apr. 1869 [60]	72 to 47 [61] See notes	17 to 15 [62] See notes	30 Mar. 1870 [63]	An attempt was made in both houses to have a popular referendum on the measure, but this failed in the Assembly by a vote of 47 to 72 [64] and in the Senate by a vote of 15 to 17.[65] New York rescinded her action on 5 Jan. 1870, both houses voting on the same day. The Senate 16 to 13 [66] and the Assembly 69 to 56.[67]
16	Income tax	31 July 1909 [68]	318 to 14 [69]	77 to 0 [70]	5 Jan. 1910 [71]	12 July 1911 [72]	81 to 42 [73]	35 to 16 [74]	25 Feb. 1913 [75]	In 1910 the Assembly failed to ratify the amendment because a majority of the members failed to vote affirmative, although the vote was ayes 74, noes 66.[76] Later the Senate passed another resolution by a vote of 26 to 20,[77] but in the Assembly it never left the committee.
17	Popular election of Senators	15 May 1912 [78]	238 to 39 [79]	64 to 24 [80]	1 Jan. 1913 [81]	15 Jan. 1913 [82]	128 to 4 [83]	43 to 4 [84]	31 May 1913 [85]	
—	Prohibition	18 Dec. 1917	282 to 128 [86]	47 to 8 [87]	....	....	....	....	....	

REFERENCES

1 U. S. Senate Journal, 1789, p. 88
2 24 Sept. 1789. U. S. House Journal, 1789, p. 123
3 25 Sept. 1789. U. S. Senate Journal, 1789, p. 88
4 Governor's message to the Legislature. N. Y. Senate Journal, 1790, p. 1
5 N. Y. Senate Journal, 1790, p. 27; approved by Council of Revision
6 22 Feb. 1790. N. Y. Assembly Journal, 1790, p. 49
7 24 Feb. 1790. N. Y. Senate Journal, 1790, p. 24
8 U. S. Senate Journal, 1st Session, 2d Congress, 1791, p. 361 and U. S. Senate Journal, 1st Session, 2d Congress, 1792, p. 377. See also American state papers, miscellaneous series, v. 1, p. 156. The first ten amendments were not promulgated, and there has been some question raised as to exactly when they became parts of the constitution.
9 N. Y. Assembly Journal, 1790, p. 40
10 U. S. House Journal, 1794, p. 89
11 4 Mar. 1794. U. S. House Journal, p. 79–80
12 14 Jan. 1794. U. S. Senate Journal, p. 19–20
13 Message from Governor, 27 Mar. 1794. N. Y. Senate Journal, p. 79
14 N. Y. Senate Journal, 1794, p. 83; approved by Council of Revision
15 N. Y. 26 Mar. 1794. Assembly Journal, 1794, p. 177–78
16 N. Y. 27 Mar. 1794. Senate Journal, 1794, p. 81
17 U. S. Senate Journal, 2d Session, 4th Congress, 1798, p. 420. The eleventh amendment was promulgated by the President.
18 U. S. Senate Journal, 1803, p. 322.
19 9 Dec. 1803. U. S. House Journal, p. 482–83
20 20 Dec. 1803. U. S. Senate Journal, p. 319–20
21 Message from Governor. N. Y. Senate Journal, 1804, p. 4
22 N. Y. Senate Journal, 1804, p. 18; approved by Council of Revisiou
23 9 Feb. 1804. N. Y. Assembly Journal, p. 52-53
24 8 Feb. 1804. N. Y. Senate Journal, p. 14
25 Letter from Secretary of State to separate states. See Documentary History of the Constitution of the United States. Washiugton, State Dept., 1894, v. 2, p. 451
26 Annals of Congress, v. 21, p. 2050
27 1 May 1810. Annals of Congress, v. 21, p. 2050
28 27 April 1810. Annals of Congress, v. 20, p. 672
29 Message from Governor. N. Y. Assembly Journal, 1811, p. 186. In 1812 the Goveruor said the matter had been before them for "several years" without action. N. Y. Senate Journal, 1812, p. 39
30 N. Y. Senate Journal, 1812, p. 108
31 12 Mar. 1812. N. Y. Senate Journal, p. 108
32 The Assembly appointed a committee on 30 Mar., 1811, to draw up a resolution ratifying the amendment. N. Y. Assembly Journal, 1811, p. 354
33 House Doc. 76, 15th Congress, 1st Session, 1818
34 Congressional Globe, v. 30, pt. 2, p. 1403
35 28 Feb. 1861. Congressional Globe, v. 30, pt. 2, p. 1285
36 2 Mar. 1861. Congressional Globe, v. 30, pt. 2, p. 1403
37 N. Y. Senate Journal, 1 .. 1861, p. 378. In his annual message for 1862, the Governor remarked that the amendment had not been acted on. N. Y. Senate Journal, 1861, p. 25–26
38 U. S. Statutes at Large, v. 13, p. 567
39 31 Jan. 1865. Congressional Globe, v. 35, pt. 1, p. 530-531. The House 15 June 1864, failed to pass the amendment, two-thirds of the members present not voting aye. The vote stood: ayes, 93; nays, 53; not voting, 23. See Congressional Globe, v. 34, pt. 4, p. 2995
40 8 April 1864. Congressional Globe, v. 34, pt. 2, p. 1490
41 Special message of Governor. N. Y. Senate Journal, 1865, p. 133
42 N. Y. Assembly Journal, 1865, p. 1584; approved by Governor
43 22 April 1865. N. Y. Assembly Journal, p. 1389
44 10 April 1865. N. Y. Senate Journal, p. 748
45 U. S. Statutes at Large, v. 13, p. 744–75
46 N. Y. Senate Journal, 1865, p. 142
47 N. Y. Assembly Journal, 1865, p. 226
48 U. S. Statutes at Large, v. 14, p. 358-59
49 13 June 1866. Congressional Globe, v. 36, pt. 4, p. 3148–49
50 8 June 1866. Congressional Globe, v. 36, pt. 4, p. 3042
51 Resolution introduced by Senator Williams. N. Y. Senate Journal, 1867, p. 5; later the Governor in a special message 2 Jan. 1867, presented to the Assembly the official communication. N. Y. Assembly Journal, 1867, v. 1, p. 37
52 N. Y. Assembly Journal, 1867, p. 17
53 10 Jan. 1867. N. Y. Assembly Journal, p. 17
54 3 Jan. 1867. N. Y. Senate Journal, p. 34
55 U. S. Statutes at Large, v. 15, p. 709–11
56 U. S. Statutes at Large, v. 15, p. 346
57 25 Feb. 1869. Congressional Globe, v. 40, pt. 3, p. 1563–64
58 26 Feb. 1869. Congressional Globe, v. 40, pt. 3, p. 1641
59 Special message of Governor. N. Y. Assembly Journal, 1869, v. 1, p. 424
60 N. Y. Senate Journal, 1869, p. 590
61 18 Mar. 1869. N. Y. Assembly Journal, p. 544–45
62 14 April 1869. N. Y. Senate Journal, p. 590
63 U. S. Statutes at Large, v. 16, p. 1131–32
64 18 Mar. 1869. N. Y. Assembly Journal, v. 1, p. 544
65 14 April 1869. N. Y. Senate Journal, p. 590
66 N. Y. Senate Journal, 1870, p. 30
67 N. Y. Assembly Jourual, 1870, p. 44
68 U. S. Statutes at Large, v. 36, pt. 1, p. 184
69 12 July 1909. Congressional Record, v. 44, pt. 4, p. 4441
70 5 July 1909. Congressional Record, v. 44, pt. 4, p. 4121
71 Governor's message. N. Y. Senate Journal, 1910, v. 1, p. 9; v. 2, appeudix, p. 54–62
72 N. Y. Assembly Journal, 1911, v. 4, p. 3725-26
73 12 July 1911. N. Y. Assembly Journal, v. 4, p. 3725-26
74 19 April 1911. N. Y. Senate Jourual, v. 1, p. 618
75 U. S. Statutes at Large, v. 37, pt. 2, p. 1785
76 20 April 1910. N. Y. Assembly Journal, v. 2, p. 1786
77 17 May 1910. N. Y. Senate Journal, v. 2, p. 1563
78 U. S. Statutes at Large, v. 37, pt. 1, p. 646
79 31 May 1912. Congressioual Record, v. 48, pt. 7, p. 6367
80 12 June 1911. Cougressional Record, v. 47, pt. 2, p. 1925
81 Annual message of Governor. N. Y. Senate Journal, 1913, v. 2, appendix, p. 6–7
82 N. Y. Senate Journal, 1913, v. 1, p. 57–58
83 14 Jan. 1913. N. Y. Assembly Journal, v. 1, p. 74–75
84 15 Jan. 1913 N. Y. Senate Journal, v. 1, p. 57–58
85 U. S. Statutes at Large, v. 38, pt. 2, p. 2049
86 17 Dec. 1917. Congressional Record, v. 56, p. 473–74 (unbound)
87 18 Dec. 1917. Congressioual Record, v. 56, p. 493 (unbound). This vote of the Senate was on concurring in the House amendments. The vote on proposing the amendment was 65 to 20. Congressional Record, 1 Aug. 1917, v. 55, p. 6196 (unbound)

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